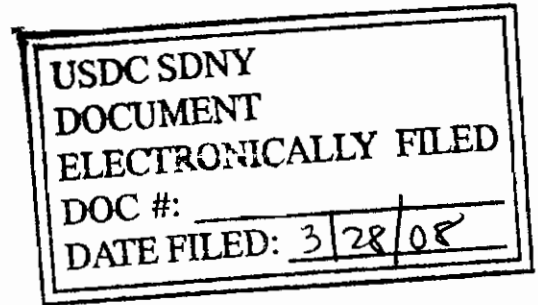


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
: AVGRAPHICS, INC., JEAN PIERRE AZOULAY and :  
: DARIA MCDERMOTT, :  
:

Plaintiffs, :  
:

-v- :  
:

NYSE GROUP, INC., (successor in interest :  
to New York Stock Exchange, Inc.), JOHN :  
GREGORETTI, TONY WALENTY, SAM COCOZZA, :  
MARGARET DeB. TUTWILER, JOHN THAIN, :  
individually and as employees of NYSE :  
GROUP, INC., ANTHONY E. WILSON, a/k/a TONY :  
WILSON, DANA GREGORETTI, and E-TRADE :  
SECURITIES, LLC, :

Defendants. :  
:

07 Civ. 8430 (DLC)

ORDER

----- X  
DENISE COTE, District Judge:

By motion dated February 26, 2008, defendant E\*TRADE Securities LLC moved to dismiss plaintiffs' complaint for lack of complete diversity among the parties. By affirmation dated March 19, counsel for the plaintiffs interposed no objection to E\*TRADE's motion and requested that the motion be granted without prejudice to refiling the action in state court. Accordingly, it is hereby

ORDERED that the above-captioned action be dismissed without prejudice to plaintiffs' refiling the action in state court. The Clerk of Court shall close the case.

SO ORDERED:

Dated: New York, New York  
March 28, 2008

\_\_\_\_\_  
DENISE COTE  
United States District Judge